

## NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – 24 JUNE 2014

Title of report	<b>DESIGNATION OF COALVILLE CONSERVATION AREA</b>
Key Decision	a) Financial No b) Community No
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Purpose of report	To designate Coalville as a Conservation Area and to adopt the attached Conservation Area Appraisal and Management Plan for consultation and adoption.
Reason for Decision	<ol style="list-style-type: none"><li>1) To discharge the duty placed upon the Council by S69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.</li><li>2) To recognise that Coalville has a special architectural or historic interest (as described within the Character Appraisal) which is worthy of protection under the planning system and to create a mechanism to provide that protection.</li></ol>
Council Priorities	Business and Jobs Homes and Communities
Implications:	Conservation Area designation does create some additional controls over property and land within the boundaries; these are set out in more detail in the main report.  Designation can result in additional workload for the Council, mostly for the Development Management team.
Financial/Staff	Can be managed within existing resources.

Link to relevant CAT	None
Risk Management	Risk assessments will be completed as part of the work, if necessary.
Equalities Impact Assessment	An Equalities Impact Assessment has already been completed for the conservation service.
Human Rights	None discernible.
Transformational Government	No specific implications.
Comments of Head of Paid Service	The report is satisfactory
Comments of Section 151 Officer	The report is satisfactory
Comments of Monitoring Officer	The report is satisfactory
Consultees	English Heritage Heritage Lottery Fund Members Planning Forum and Local Ward Members Coalville Historic Society Coalville Town Team
Background papers	<ul style="list-style-type: none"> <li>▪ Planning (Listed Buildings and Conservation Areas) Act 1990, which can be found at <a href="http://www.opsi.gov.uk/acts/acts1990/pdf/ukpga_19900009_en.pdf">http://www.opsi.gov.uk/acts/acts1990/pdf/ukpga_19900009_en.pdf</a></li> </ul>
Recommendations	<p><b>THAT CABINET IS ASKED TO :</b></p> <ol style="list-style-type: none"> <li><b>1. APPROVE IN PRINCIPLE THE DESIGNATION OF A CONSERVATION AREA IN COALVILLE TOWN CENTRE WITH POWERS UNDER SECTION 69 OF PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990;</b></li> <li><b>2. AGREE THE MANAGEMENT PLAN AND BOUNDARY IN APPENDIX 1 AS THE BASIS FOR A 21 DAY CONSULTATION;</b></li> <li><b>3. DELEGATE THE FINAL DESIGNATION, IN CONSIDERATION OF THE CONSULTATION TO THE DIRECTOR OF SERVICES IN CONSULTATION WITH THE REGENERATION AND PLANNING PORTFOLIO</b></li> </ol>

	<p><b>HOLDER.</b></p> <p><b>4. AGREE TO THE PREPARATION OF A BID TO THE HERITAGE LOTTERY FUND FOR “TOWNSCAPE HERITAGE FUNDING”.</b></p>
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**1.0 BACKGROUND TO CONSERVATION AREAS**

- 1.1 Conservation Areas are created under, and regulated by, the Planning (Listed Buildings and Conservation Areas) Act 1990 ('The Act').
- 1.2 The Act defines Conservation Areas as “areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”.
- 1.3 Section 69(2) of The Act places a continuing duty on Local Planning Authorities to “from time to time to review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as conservation areas; and, if they so determine, they shall designate those parts accordingly.”
- 1.4 There is no prescribed process for designation, and no statutory requirement for consultation prior to the designation of the Conservation Area by the District Council. However in order to engage with the wider community and key stakeholders in the Town a consultation exercise will be held to explain the reasons and benefits of the designation.
- 1.5 Following designation, however, under s70 of the Act the Local Planning Authority is required to formulate and publish proposals for the preservation and enhancement of the Conservation Areas; submit those proposals under this section for consideration to a public meeting in the area to which they relate; and have regard to any views concerning the proposals expressed by persons attending the meeting.
- 1.6 New designations are a local land charge and must be notified to the Secretary of State and English Heritage. A notice has to be published in the London Gazette and at least one local newspaper.
- 1.7 There are currently 22 Conservation Areas in the District. Ashby de la Zouch and Castle Donington were the first to be designated in 1972. Donington le Heath is the most recent, designated in 2010. These designations have resulted in the retention of many significant, but unlisted, historic buildings.

**2.0 IMPLICATIONS OF DESIGNATION AND PROCESS**

- 2.1 Conservation Area designation introduces a general control over the demolition of unlisted buildings and provides a basis for planning policies whose objective is to conserve all aspects of character or appearance, including landscape and public spaces, that define an area’s special interest.

- 2.2 A greater emphasis is placed on matters of design when considering planning applications: the Council is required to “pay special attention to the desirability of preserving or enhancing the character or appearance of that area” when considering planning applications within Conservation Areas.
- 2.3 ‘Conservation’ is not the same as ‘Preservation’: the latter seeks to maintain the heritage without change. ‘Conservation’ is the process of managing change to a significant place in ways that will best sustain its heritage values. Therefore, Conservation Area designation does not preclude development: it seeks to ensure new development enhances the historic environment.
- 2.4 The Council has expressed its aspirations for good design, and the Council’s Design Ambassadors champion good quality design within the District, regardless of Conservation Area designations. The Council’s high standards have recently been recognised and praised by the Planning Minister.
- 2.5 Planning applications for development which would affect the character or appearance of the Conservation Area must be given publicity, and any representations received be taken into account in determining the application. Specific additional powers from designation include:
- There is some control over demolition. Planning Permission is required for the demolition of all, or substantially all, of a building exceeding 115 cubic metres in a Conservation Area.
  - There are some restrictions on the Permitted Development Rights enjoyed by householders. Conservation Area status also allows the removal of more Permitted Development Rights through the making of an Article 4(2) Direction. Trees acquire a degree of protection: six weeks’ notice to the Council has to be given of an intention to do works to a tree in a Conservation Area. This does not apply to trees already covered by a Tree Preservation Order.
  - Specific statutory duties are imposed on telecommunications operators.
  - The right to display certain types of illuminated advertisements without express consent is excluded.
- 2.6 Designation of a Conservation Area also empowers the Authority to offer grants and loans and enhances its opportunities to bid for grant and investment support. One of the main funds that the authority would be able to bid to is the Heritage Lottery “Townscape Heritage programme”. The designation would therefore assist the Authority with its ongoing commitment to regenerate Coalville Town Centre.
- 2.7 A Conservation Area Appraisal has been prepared to assist, initially in assessing whether Coalville has the required “special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”. Following this exercise, it has been concluded that the area does have a distinct character which distinguishes it from other parts of the District and which is worthy of special efforts to preserve or enhance.

- 2.8 The special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance can be summarised as follows:

“Coalville represents a significant example of Victorian industrialisation. The town was established in the mid-1820s with its origins attributed to mine engineer William Stenson who developed Coalville’s first mine into previously unexploited coal measures. Stenson is also credited for arranging for one of the world’s earliest railways to be built to carry the coal. These endeavours sparked the evolution of the Victorian town of Coalville on an area of land comprised of the four distant corners of the adjoining parishes of Whitwick, Hugglescote, Snibston and Swannington. These were separated by two ancient road tracks: Long Lane (or more descriptively Ditching Lane), gave its name initially to Stenson’s mine and to the emerging settlement.

As Coalville prospered in the early 20<sup>th</sup> century commercial and cultural confidence encouraged further development of the Belvoir Road artery with contemporary buildings including the Co Operative premises at 75-81, the Lloyds Bank at the corner of Marlborough Square and the Rex Cinema. In the same period the iconic War Memorial was erected at the site of the market, a structure which dominates views from the town’s major thoroughfares and is afforded listed status as befits its architectural and cultural significance. The Council Offices at London Road were a further manifestation of civic pride in this period.

In contrast to the town’s original industrial premises, the principal elements of Coalville’s historic commercial centre remain largely intact, albeit with some notable losses and modern intrusions. Both High Street/Hotel Street and Belvoir Road maintain their linear retail form, the principal loss being the railway station and adjoining buildings along the north side of High Street. The Belvoir Centre involved the demolition of short ranges of historic buildings along High Street and Belvoir Road but has otherwise been remarkably kind to the historic fabric of the town centre, to which it has, to some extent, been economically complementary.”

- 2.9 This summary is expanded in more detail in the Appraisal, which is attached to this report in Appendix 1. The document also includes a Management Plan which is, in effect, the proposals for the preservation and enhancement of the area. The weight the Council can give to this document is much enhanced if it has been subject to public consultation. Consideration of the consultation responses and final approval of the document after the consultation can be delegated to the Director of Services in consultation with the Portfolio Holder.

### **3.0 HERITAGE LED REGENERATION IN COALVILLE**

- 3.1 Heritage led regeneration can be defined as the improvement of disadvantaged places through the delivery of a heritage focused project. Heritage led regeneration schemes have been proven to deliver real economic, physical and social benefits. Restoring historic buildings is a sustainable way to develop urban areas – this conserves natural resources and maintains a physical continuity with the historic past. In addition, heritage led regeneration can help to foster local pride of place, strengthening the sense of community and identity. Quality restoration schemes, public realm enhancement and new development will contribute to long-term sustainability rather than quick-fix solutions.

- 3.2 The Heritage Lottery Fund’s “Townscape Heritage programme” is for schemes which help communities improve the built historic environment of Conservation Areas in need of investment. The aim is to regenerate economically disadvantaged historic areas for the benefit of local residents, workers and visitors. Funding can be provided for works that include:
- Carrying out structural and external repairs to buildings
  - Repairing or reinstating elements of architectural detail, such as shop fronts
  - Work to bring vacant buildings back into use
  - Improvements to the public realm
  - Good-quality and sympathetic development in gap sites
- 3.3 Townscape Heritage Scheme grants range from £100,000 to £2million. Match funding from the Authority depends upon the amount of any successful award and could be between 5-10%.
- 3.4 The Heritage Lottery Fund’s Development Manager visited Coalville on 6 May to discuss the potential for a Townscape Heritage Scheme and was very supportive of the principle of a bid from the Authority but reiterated that such a scheme can only be progressed through the designation of a Conservation Area in Coalville.
- 3.5 The timescales for developing a HLF Townscape bid are set out in the table below. If the bid is successful, staff requirements for the development and implementation phases of the Scheme would be financed under the grant. A report will be brought back to Cabinet when the results of the first round submission are known and details of any match funding that might be required to secure any lottery award.

<b>June 2014</b>	Designate a Conservation Area in Coalville
<b>July 2014</b>	21 day Public Consultation on Conservation Area Appraisal and Management Plan
<b>August 2014</b>	HLF Townscape Heritage Scheme first-round submission
<b>January 2015</b>	HLF Townscape Heritage Scheme first-round decision
<b>Feb - June 2015</b>	HLF Townscape Heritage Scheme development phase preparation
<b>September 2015</b>	HLF Townscape Heritage Scheme development phase decision
<b>October 2015 - 2018</b>	HLF Townscape Heritage Scheme implementation

#### **4.0 CONSULTATIONS**

- 4.1 The Regional Director of English Heritage, Anthony Streeten, has voiced his support for the designation of a Conservation Area in Coalville. To that end, he arranged for a Principal English Heritage Advisor to visit Coalville on 23 April who reiterated the Agency’s support for the designation.
- 4.2 The designation has been discussed with Members of the Planning Forum and local ward councillors who are supportive of the principle of designation.

- 4.3 The proposed Conservation Area and Appraisal have been endorsed by Leicestershire County Council's Historic & Natural Environment Team Leader and Principal Planning Archaeologist.
- 4.4 Local historian Denis Baker has reviewed the proposed Conservation Area Appraisal and is supportive of the designation. The Town Team are also broadly supportive of the designation if it levers in grant investment.
- 4.5 A consultation exercise will now be broadened to the wider community and stakeholders in the Town Centre. Interpretative information will be prepared to support this consultation and events will be held in a variety of locations during the 21 day consultation period.

## **5.0 RESOURCE IMPLICATIONS**

- 5.1 At this stage the Cabinet approval is not being sought for any additional funding towards the designation of the Conservation Area and the preparation of a first round Heritage Lottery Bid. Existing resources in the Service will be used to fund the designation, consultation and bid preparation.
- 5.2 In the event that a round 1 bid is successful a report will be brought back to Cabinet, in January 2015, seeking resources for the cost of progressing a round 2 bid and approval to any match funding that might be required. If the total grant request is less than £1million, the local authority must contribute at least 5% of the costs of the development phase and 5% of the costs of the delivery phase. If the total grant request is £1million or more, the local authority must contribute at least 10% of the costs of the development phase and 10% of the costs of the delivery phase. In the event that the bid is successful match funding of between £50-200k is likely to be sought. It is anticipated therefore that the January 2015 Cabinet report would detail the match funding required and this could be approved in February when the Cabinet approves the 2015/16 Budget and Capital Programmes.